

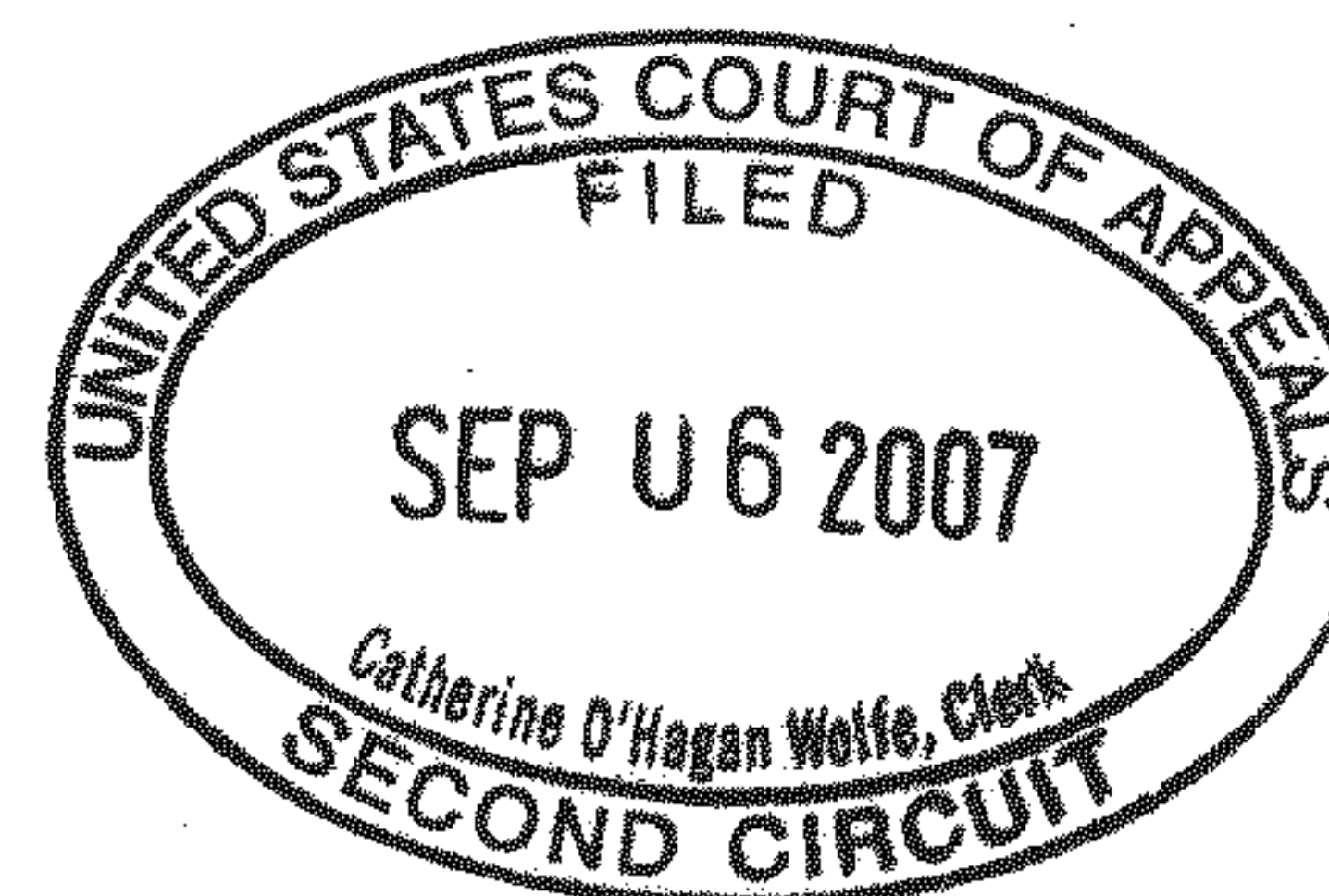
S.D.N.Y.-N.Y.C.  
07-cv-3047  
Wood, C.J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 6<sup>th</sup> day of September two thousand seven,

Present:

Hon. John M. Walker, Jr.,  
Hon. Guido Calabresi,  
Hon. Robert D. Sack,  
*Circuit Judges.*



Victor Davis,

*Plaintiff-Appellant,*

v.

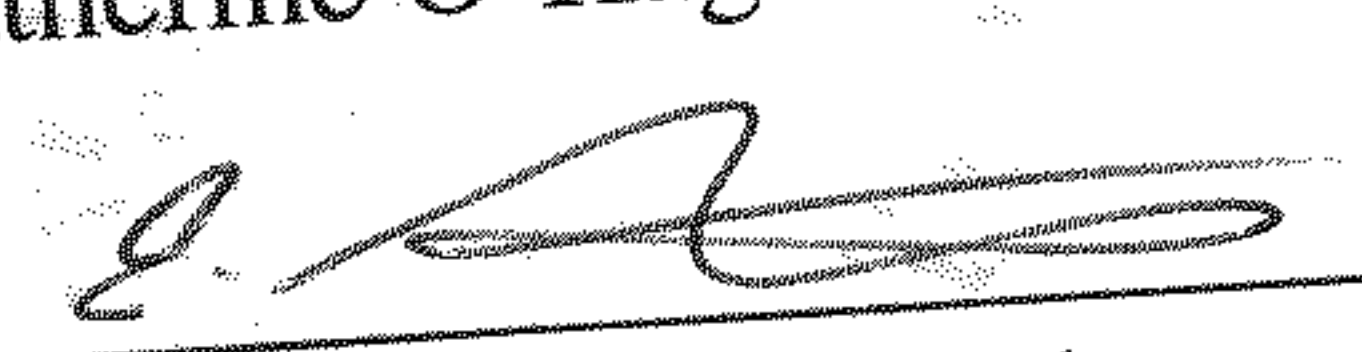
07-2704-pr


New York State Division of Parole, *et al.*,

*Defendants-Appellees.*

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is ORDERED that the motion is GRANTED, the district court's judgment is VACATED, and the case is REMANDED to the district court. On remand, the district court will permit Appellant to amend his complaint to the extent he seeks a new review or hearing with regard to his parole status, rather than seeking the invalidity of his confinement. *See Wilkinson v. Dotson*, 544 U.S. 74, 81-82 (2005)

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by   
Deputy Clerk

By: 

SEP 6 2007

SAO-JJF

Certified:

SEP 7 2007